

**REMARKS**

In the Office Action,<sup>1</sup> the Examiner rejected claims 1-11 and 17-26 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0212682 to Nip ("Nip") and U.S. Patent No. 5,940,809 to Musmanno et al. ("Musmanno") in view of U.S. Patent Publication No. 2003/0225742 to Tenner et al. ("Tenner") in view of U.S. Patent No. 7,363,264 to Doughty et al. ("Doughty").

Claims 1-11 and 17-26 remain pending. Claims 1, 11, and 26 are amended by this reply. No new matter is added.

Applicant respectfully traverses the rejection of claims 1-11 and 17-26 under 35 U.S.C. § 103(a) as being unpatentable over combinations of Nip, Musmanno, Tenner and Doughty. A *prima facie* case of obviousness has not been established.

"The key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious." See M.P.E.P. § 2142, 8th Ed., Rev. 7 (July 2008). Such an analysis should be made explicit and cannot be premised upon mere conclusory statements. See *id.* "A conclusion of obviousness requires that the reference(s) relied upon be enabling in that it put the public in possession of the claimed invention." M.P.E.P. § 2145. Furthermore, "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art" at the time the invention was made. M.P.E.P. § 2143.01(III), internal

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<sup>1</sup> The Office Action may contain statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

citation omitted. Moreover, “[i]n determining the differences between the prior art and the claims, the question under 35 U.S.C. § 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious.” M.P.E.P. § 2141.02(I), internal citations omitted (emphasis in original).

Independent claim 1 recites, among other elements, “a document having a first data area . . . [and] a second data area[,] . . . wherein the structure of the first data area or the second data area in the document is determined by the class of business transactions and by one or more business applications.” The Office Action correctly recognizes that both Nip and Musmanno fail to disclose or suggest the claimed “first data area” and “second data area.” Office Action p. 6. The Office Action does allege, however, that Tenner remedies these deficiencies of Nip and Musmanno. Office Action p. 5. But, these allegations are not correct for at least the following reasons.

Specifically, the Office Action alleges that “Tenner shows the output data record having a first data area and a first identification code, and the output data record also having a second data area and a second identification code, wherein the output data record can be read in full or in part by referring to the first identification code or the second identification code (Tenner: page 6, ¶¶ 65-66; and page 7, ¶ 71).” Office Action p. 5.

Tenner discloses “[a]fter loading the data from the first data source 410, data from at least one second data source 420 is loaded to the second plurality of tables 436 of data warehouse 432, whereby the second plurality of tables 436 is populated. Each

data record of the second data source 420 may comprise an internal key and at least one external key it maps to.” Tenner, paragraph [0066].

However, even if Tenner discloses a “first data source 410” and a “second data source 420,” which Applicant does not concede, there is still nothing in Tenner that the structure of these alleged “data areas” is “determined by the class of business transactions and by one or more business applications.” Tenner is directed to a “method and process to optimize correlation of replicated [data] with extracted data from disparated data sources.” Tenner, Title. In other words, Tenner “generally relates to correlating different data sources and, more particularly, to correlating data from at least two different data sources in a data warehouse.” Tenner, paragraph [0002].

Nothing in Tenner discloses or suggests that “correlating data from at least two different sources in a data warehouse” includes augmenting the “structure” of those “data sources” based on the “class of business transactions and [on] one or more business applications.” In other words, there is nothing in Tenner that discloses or suggests that the structure of the “data sources” is “determined by the class of business transactions and by one or more business applications.”

Doughty does not remedy the acknowledged deficiencies of Nip and Musmanno nor the above described deficiencies of Tenner. For example, Doughty also fails to disclose or suggest the claimed “document having a first data area . . . [and] a second data area[,] . . . wherein the structure of the first data area or the second data area in the document is determined by the class of business transactions and by one or more business applications.” Accordingly, Doughty does not remedy the deficiencies of Tenner, Musmanno, or Nip.

Therefore, for at least this reason, Applicant respectfully submits that claim 1 is allowable. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Independent claims 11 and 26, while of different scope than claim 1, distinguish over Nip, Musmanno, Tenner and Doughty for reasons similar to claim 1. Claims 2-10 and 17-25 distinguish over Nip, Musmanno, Tenner and Doughty at least due to their dependence from one of the independent claims.

### **CONCLUSION**

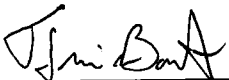
In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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